

REMARKS

1. Claims Rejections - 35 U.S.C. §103(a) - Claims 1-138

Claims 1-138 are pending in the present application and were rejected in the Office Action dated October 4, 2004, under 35 U.S.C. §103(a) as being unpatentable in view of Raven et al. (U.S. Patent No. 5,429,361). Applicants respectfully traverse this rejection. However, in order to provide clarification only, claims 1, 16, 41-43, 68, 69, 83, 84, 100-102, 114, and 135-138 have been amended. The remainder of the claims are dependent claims and, as such, depend from their respective independent claims. For brevity, only the bases for the rejection of the independent claims are traversed in detail on the understanding that the dependent claims are also patentably distinct over the prior art, as they depend directly from their respective independent claims. Nevertheless, the dependent claims include additional features that, in combination with those of the independent claims, provide further, separate, and independent bases for patentability.

Specifically, none of cited prior art references teach or suggest the claimed limitation, as amended, a “systems interface [that] utilizes the gaming platform to produce enhanced system request capabilities with enhanced graphics and animation display” for enabling interactions with the system network.” These “enhanced graphics and animation display capabilities” are made possible by the unique capabilities derived from the gaming platform used in conjunction with the systems interface. Support for this amendment can be found at Page 17, line 30 to Page 18, line 23, which describes how the gaming platform 70 of the claimed invention combines the strengths of a traditional MPU (master processing unit) game engine with enhanced graphics and animation capabilities that were previously available only in the PC (personal computer) industry.

In the claimed invention, the gaming platform 70 includes both an MPU gaming processor (IOP 80) and a Pentium class (or better) Window®-type processor 90. The IOP 80 in the game platform 70 provides access to a library of casino game functions and drivers for these casino games while the Pentium class processor 90 of the game platform 70 concurrently runs an

operating system that supports PC-level sound and graphics content. Accordingly, while the cited references (e.g., Franchi) merely disclose “ATM type touch screen buttons” in their system interfaces (if any), the claimed invention discloses PC level enhanced graphics and animation display capabilities beyond those of the cited references. See Franchi Col. 8, lines 1-3.

Indeed, the differences between the cited references and the claimed invention are analogous to the differences between DOS® and Windows®. While the Examiner might try to argue that many similar functions can be carried out in both DOS® and Windows®, there are millions of non-DOS®, Windows® users who will tell you that Windows® not only provides greater functionality through increased interactivity, simplicity, and flexibility, but further provides a profoundly greater overall visual impact on the user. In this manner, a “systems interface [that] utilizes the gaming platform to produce enhanced system request capabilities with enhanced graphics and animation display for enabling interactions with the system network” in the claimed invention is patentably distinct from the “ATM type touch screen buttons” in the cited references.

In the cited references, all of the identified systems interfaces (i.e., devices for interfacing with a system network to access “non-gaming” system-type functions) are not incorporated into the gaming platform of a gaming device. As a result, these systems interfaces are not able to produce enhanced system request capabilities with enhanced graphics and animation display for enabling interactions with the system network. This is a clear limitation of the cited references that has been overcome by the claimed invention of the present application.

Therefore, Applicants respectfully submit that these cited references do not support a 35 U.S.C. § 103(a) rejection of claims 1-138.

2. Reply to Examiner’s Arguments

A. Examiner’s First Argument

The Examiner has taken the position that “integrating game play and service systems into a single interface display system [is] well known.” Applicants have previously responded by

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requesting that the Examiner cite art supporting his statement regarding what is "well known in the art." Additionally, on page 7 of the current Office Action dated October 4, 2004, the Examiner stated that "integrating the systems interface into the gaming screen used to display gaming information" is well known and is supported by the art of record.

In particular, the Examiner cites five references, each of which the Applicants have been addressed below individually. These references include: Walker et al. (U.S. 6,068,552), Ronin et al. (U.S. 6,083,105), Franchi (U.S. 5,770,533), Houriet Jr. et al. (U.S. 5,575,717), and Walker et al. (U.S. 6,293,866).

Walker et al. (U.S. 6,068,552):

The Examiner states that Walker et al. (U.S. 6,068,552) shows a game screen display (210) that doubles as the game screen and the game customization screen in Figs. 3-6. Applicants agree with the Examiner that Walker et al. shows a game screen display (210) which doubles as the game screen and the game customization screen. However, this is not what is recited in the language of the claimed invention. Specifically, the Applicants have claimed a systems interface for displaying non-gaming system information through a gaming platform. Further, the systems interface of the claimed invention includes **enhanced graphics and animation display** for enabling interactions with the system network. The Walker et al. reference cited by the Examiner refers to gaming customization and other gaming-related information. In contrast, claim 1 recites "a systems interface incorporated into the display screen of the gaming platform, wherein the systems interface displays non-gaming system information from a system network through the gaming platform to a casino player or employee via the display screen of the gaming platform, ... wherein the systems interface utilizes the gaming platform to produce enhanced system request capabilities with **enhanced graphics and animation display** for enabling interactions with the system network."

Accessing gaming information (such as game customization parameters) on the display screen of the gaming device is not a difficult or profoundly unusual task, since this gaming information is already resident in the gaming machine. Indeed, accessing gaming information on the display screen of the gaming device is a very different and far simpler task than accessing non-

gaming system information from a system network through the gaming platform using the display screen of the gaming device, as is claimed in the invention of the present application.

Therefore, Applicants respectfully submit that Walker et al. (U.S. 6,068,552) does not lend support to a 35 U.S.C. § 103(a) rejection of claims 1-138.

Ronin et al. (U.S. 6,083,105):

The Examiner states that Ronin et al. (U.S. 6,083,105) shows a game screen display that doubles as the game screen and the game customization screen in Figs. 6 and 7. Applicants agree that Ronin et al. shows a game screen display that has a game screen which can be used in a game maintenance mode. However, this is not what is recited in the language of the claimed invention. Specifically, the Applicants have claimed a systems interface for displaying non-gaming system information through a gaming platform. Further, the systems interface of the claimed invention includes an **enhanced graphics and animation display** for enabling interactions with the system network. The Ronin et al. reference cited by the Examiner refers to a gaming maintenance mode and other gaming-related information. In contrast, claim 1 recites “a systems interface incorporated into the display screen of the gaming platform, wherein the systems interface displays non-gaming system information from a system network through the gaming platform to a casino player or employee via the display screen of the gaming platform, ... wherein the systems interface utilizes the gaming platform to produce enhanced system request capabilities with enhanced graphics and animation display for enabling interactions with the system network.”

Therefore, Applicants respectfully submit that Ronin et al. (U.S. 6,083,105) does not lend support to a 35 U.S.C. § 103(a) rejection of claims 1-138.

Franchi (U.S. 5,770,533):

The Examiner states that Franchi (U.S. 5,770,533) shows a game screen display that doubles as the game screen and the game customization screen in Fig. 13. Applicants submit that Franchi shows a game screen display and a separate systems interface screen that does not utilize the gaming platform in order to interact with the system network. This is not what is recited in the language of the claimed invention. In the claimed invention, the use of the gaming

display screen and the gaming platform by the systems interface in fully unique, and accomplishes the heretofore unachievable benefit of a “systems interface [that] utilizes the gaming platform to produce enhanced system request capabilities with enhanced graphics and animation display for enabling interactions with the system network.” In contrast, the Franchi patent shows a systems interface that is (1) separate from the gaming screen, (2) does not utilize the gaming platform for enabling interactions with the system network, and (3) does not have enhanced graphics and animation display capabilities, but rather merely utilizes “ATM type” touch screen buttons. See Franchi Col. 8, lines 1-3.

These “enhanced graphics and animation display capabilities” are made possible by the unique abilities derived from the gaming platform used in conjunction with the systems interface. In the cited references, all of the identified systems interfaces (i.e., devices for interfacing with a system network to access “non-gaming” system-type functions) are not incorporated into the gaming platform of a gaming device. As a result, these systems interfaces are not able to produce enhanced system request capabilities with enhanced graphics and animation display for enabling interactions with the system network. This is a clear limitation of the cited references that has been overcome by the claimed invention of the present application.

Therefore, Applicants respectfully submit that Franchi (U.S. 5,770,533) does not lend support to a 35 U.S.C. § 103(a) rejection of claims 1-138.

Houriet Jr. et al. (U.S. 5,575,717):

The Examiner states that Houriet Jr. et al. (U.S. 5,575,717) shows a game screen display that doubles as the game screen and the game customization screen in Fig. 1-4 and in Col. 2, lines 20-36. Applicants agree that Houriet Jr. et al. shows a game screen display that has a game screen which can be used for selecting game menu options. However, this is not what is recited in the language of the claimed invention. Specifically, the Applicants have claimed a systems interface for displaying non-gaming system information through a gaming platform. Further, the systems interface of the claimed invention includes enhanced graphics and animation display for enabling interactions with the system network. The Houriet Jr. et al. reference cited by the Examiner refers

to gaming menu options and other gaming-related information. In contrast, claim 1 recites: "a systems interface incorporated into the display screen of the gaming platform, wherein the systems interface displays non-gaming system information from a system network through the gaming platform to a casino player or employee via the display screen of the gaming platform, ... wherein the systems interface utilizes the gaming platform to produce enhanced system request capabilities with enhanced graphics and animation display for enabling interactions with the system network."

Therefore, Applicants respectfully submit that Houriet Jr. et al. (U.S. 5,575,717) does not lend support to a 35 U.S.C. § 103(a) rejection of claims 1-138.

Walker et al. (U.S. 6,293,866):

The Examiner states that Walker et al. (U.S. 6,293,866) shows a game screen display that doubles as the game screen and the game customization screen in Col. 5, lines 1-18, and Col. 7, lines 1-25. Applicants agree that Walker et al. shows a game screen display that has a game screen which can be used for selecting player game preferences. However, this is not what is recited in the language of the claimed invention. Specifically, the Applicants have claimed a systems interface for displaying non-gaming system information through a gaming platform. Further, the systems interface of the claimed invention includes **enhanced graphics and animation display** for enabling interactions with the system network. The Walker et al. reference cited by the Examiner refers to gaming menu options and other gaming-related information. In contrast, claim 1 recites "a systems interface incorporated into the display screen of the gaming platform, wherein the systems interface displays non-gaming system information from a system network through the gaming platform to a casino player or employee via the display screen of the gaming platform, ... wherein the systems interface utilizes the gaming platform to produce enhanced system request capabilities with enhanced graphics and animation display for enabling interactions with the system network."

Therefore, Applicants respectfully submit that Walker et al. (U.S. 6,293,866) does not lend support to a 35 U.S.C. § 103(a) rejection of claims 1-138.

Accordingly, the Examiner has still not shown that “integrating the systems interface into the gaming screen used to display gaming information” is well known. Further, the Examiner’s position clearly is not supported by the art of record, as has been shown above. Without any cited references that support the Examiner position, Applicants respectfully respect the withdrawal of the 35 U.S.C. § 103(a) rejections of claims 1-138.

B. Examiner’s Second Argument

The Examiner has also taken the position that it would be “obvious to integrate the systems interface display system into the gaming screen used to display gaming information.” As stated above, none of the cited references teach or suggest the claimed limitation, as amended, of a “systems interface [that] utilizes the gaming platform to produce enhanced system request capabilities with enhanced graphics and animation display for enabling interactions with the system network.” These “enhanced graphics and animation display capabilities” are the result of the gaming platform used in conjunction with the systems interface. In the cited references, all of the identified systems interfaces (i.e., devices for interfacing with a system network to access “non-gaming” system-type functions) are not incorporated into the gaming platform of a gaming device. As a result, these systems interfaces are not been to produce enhanced system request capabilities with enhanced graphics and animation display for enabling interactions with the system network. This is a clear limitation of the cited references that has been overcome by the claimed invention of the present application.

In the claimed invention, the use of the gaming display screen and the gaming platform by the systems interface accomplishes the heretofore unachievable benefit of a “systems interface [that] utilizes the gaming platform to produce enhanced system request capabilities with enhanced graphics and animation display for enabling interactions with the system network.” However, while the Franchi reference does disclose a systems interface, the systems interface of the Franchi reference is (1) separate from the gaming screen, (2) does not utilize the gaming platform for enabling interactions with the system network, and (3) does not have enhanced

graphics and animation display capabilities, but rather merely utilizes “ATM type” touch screen buttons. See Franchi Col. 8, lines 1-3.

Regarding this second point of the “ATM type touch screen buttons” in the Franchi patent verses the enhanced graphics and animation display capabilities of the claimed invention, the differences between these two are analogous to the differences between DOS® and Windows®. While the Examiner might try to argue that many similar functions can be carried out in both DOS® and Windows®, there are millions of non-DOS®, Windows® users who will tell you that Windows® not only provides greater functionality through increased interactivity, simplicity, and flexibility, but further provides a profoundly greater overall visual impact on the user. In this manner, a “systems interface [that] utilizes the gaming platform to produce enhanced system request capabilities with enhanced graphics and animation display for enabling interactions with the system network” in the claimed invention, is patentably distinct from the “ATM type touch screen buttons” in the Franchi patent. As such, Applicants respectfully submit that these cited references do not support a 35 U.S.C. § 103(a) rejection of claims 1-138.

C. Examiner’s Third Argument

Additionally, the Examiner has taken the position that one would be motivated to integrate gaming and service systems into one display system in order to “modernize an existing system to the present state of technology.” Respectfully, there is no such basis for an “obvious to modernize” type of rejection in the M.P.E.P. Furthermore, the Federal Circuit in interpreting 35 U.S.C. § 103 has expressly rejected this type of rejection on numerous occasions, referring to it as hindsight reconstruction.

Specifically, the Federal Circuit has stated that rejections based on 35 U.S.C. § 103 must rest on a factual basis, with these facts being interpreted without hindsight reconstruction of the invention from the prior art. Additionally, the Federal Circuit has stated an Examiner may not, because of doubt that the invention is patentable, resort to speculation, unfounded assumption, or



hindsight reconstruction to supply deficiencies in the factual basis for the rejection. *See In re Warner*, 379 F.2d 1011, 1017, *cert. denied*, 389 U.S. 1057 (1968). The Federal Circuit has repeatedly cautioned against employing hindsight by using the appellant's disclosure as a blueprint to reconstruct the claimed invention from the isolated teachings of the prior art. *See, e.g., Grain Processing Corp. v. American Maize-Prods. Co.*, 840 F.2d 902, 907, (Fed. Cir. 1988). When determining obviousness, "the [E]xaminer can satisfy the burden of showing obviousness of the combination 'only by showing some objective teaching in the prior art or that knowledge generally available to one of ordinary skill in art would lead that individual to combine the relevant teachings of the references.'" *In re Lee*, 277 F.3d 1338, 1343, (Fed. Cir. 2002), citing *In re Fritch*, 972 F.2d 1260, 1265, (Fed. Cir. 1992). (*emphasis added*).

Therefore, Applicants respectfully submit that the Examiner has not shown "some objective teaching in the prior art or that knowledge generally available to one of ordinary skill in art would lead [an] individual to combine the relevant teachings of the references." Accordingly, Applicants respectfully submit that these cited references do not support a 35 U.S.C. § 103(a) rejection of claims 1-138.

3. According to MPEP § 2144.04 (II)(B), Omission of an Element with Retention of the Element's Function Is an Indicia of Unobviousness

Applicants further note that MPEP § 2144.04 (II)(B) clearly states that the omission of an element and retention of its function is an indicia of unobviousness. Referring now to MPEP § 2144.04 (II)(B), in the case of *In re Edge*, 359 F.2d 896, 149 USPQ 556 (CCPA 1966), the claims at issue were directed to a printed sheet having a thin layer of erasable metal bonded directly to the sheet. The thin layer obscured the original print until it was removed by erasure. The prior art disclosed a similar printed sheet that also included an intermediate transparent layer and erasure-proof protecting layer that prevented erasure of the printing when the top layer was erased. The claims were found to be unobvious over the prior art because (1) the transparent layer in the prior art was eliminated, and (2) the function of the transparent layer was retained (since appellant's metal layer could be erased without erasing the printed indicia.).

Analogously, in the claimed invention of the present application, external system components (such as an external 2-line VF display and an external keypad) have been eliminated, while their functions have been retained. In the claimed invention of the present application, the incorporation of a systems interface into the display screen of the gaming platform, and the utilization of the gaming platform by the systems interface, results in the benefits of (1) enhanced system request capabilities and (2) enabling interactions with the system network that are not limited to discrete keypad type inputs for system requests. Therefore, the claimed invention of the present application clearly shows a distinct benefit, and thus, the claimed invention of the present application is patentability distinct over the prior art.

Indeed, not only have their functions been retained, their functions have been enhanced, as described in detail above. Using the claimed invention, the system network is able to send system information, in an enhanced format (i.e., enhanced graphics and animation display), to a player or employee through the gaming platform to the systems interface, which is in the display screen of the gaming device itself. As a result, the need for the external 2-line VF display has been eliminated, while associated functionality has not only been maintained, it has actually been enhanced. In a similar manner, incorporating the systems interface (1) into the display screen and (2) through the gaming platform has eliminated the need for the external keypad, while its associated functionality has not only been maintained, it has actually been enhanced.

Accordingly, Applicants respectfully submit that MPEP § 2144.04 (II)(B) supports the Applicants' position, and that the 35 U.S.C. § 103(a) rejection of claims 1-138 as unpatentable over Raven et al. has been overcome.

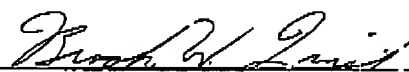
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CONCLUSION

Applicants have made an earnest and bona fide effort to clarify the issues before the Examiner and to place this case in condition for allowance. In view of the foregoing discussions, it is clear that the differences between the claimed invention and the prior art are such that the claimed invention is patentably distinct over the prior art. Therefore, reconsideration and allowance of all of claims 1-138 is believed to be in order, and an early Notice of Allowance to this effect is respectfully requested. If the Examiner should have any questions concerning the foregoing, the Examiner is invited to telephone the undersigned attorney at (310) 712-8319. The undersigned attorney can normally be reached Monday through Friday from about 9:30 AM to 6:30 PM Pacific time.

Respectfully submitted,

Dated: 1/3/05

  
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